

**MAY 28 2003**

**NOT FOR PUBLICATION**

**UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT**

**CATHY A. CATTERSON  
U.S. COURT OF APPEALS**

STELLA ONUAGULUCHI,

Plaintiff - Appellant,

v.

WILLIAM J. HENDERSON, Postmaster  
General, United States Postal Service,

Defendant - Appellee.

No. 02-15730

D.C. No. CV-99-03386-PJH

MEMORANDUM\*

Appeal from the United States District Court  
for the Northern District of California  
Phyllis J. Hamilton, District Judge, Presiding

Submitted May 15, 2003\*\*  
San Francisco, California

Before: CANBY, KLEINFELD, and RAWLINSON, Circuit Judges.

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\* This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by Ninth Circuit Rule 36-3.

\*\* This panel unanimously finds this case suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

The district court did not abuse its discretion when it denied Stella Onuaguluchi's motion for an extension of time to file a notice of appeal. Onuaguluchi failed to demonstrate "excusable neglect" through the existence of extraordinary circumstances and likelihood of an unjust result. *See Marx v. Loral Crop.*, 87 F.3d 1049, 1053 (9th Cir. 1996). "Inadvertence or mistake of counsel does not constitute excusable neglect." *Id.* (citation omitted).

AFFIRMED.